In the High Court of Judicature at Madras

Dated: 03.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.33901 of 2002

T.V. Sathyanarayanan ..Petitioner

..vs..

1. State of Tamil Nadu,
   rep.by the Secretary to Government
   Housing & Urban Development Department,
   Secretariat, Fort St.George,
   Chennai-600 009.

2. The Member Secretary,
   Chennai Metropolitan
   Development Authority,
   No.8, Gandhi Irwin Road,
   Egmore, Chennai-600 008.

3.The Chennai Metropolitan Water
  Supply and Sewerage Board rep.
  By its Managing Director
  No.1 Pumping Station Road
  Chennai 600 002. ..Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Declaration declaring that the provisions of Rule 19(b) (III-B) of the Development Control Rules and Rule 13 of the Special Rules for multi-storeyed building as ultravires, illegal, unconstitutional and unenforceable in so far as it relates to levy and collection of Security Deposit by the petitioner for proposed Development and consequently direct the respondents to issue planning permission for proposed development of Ground +3 floors, residential building with 8 dwelling units at Door No.33 VII Avenue, Ashok Nagar T.S. 7/1, 7/1, Block No.6701 of Kodambakkam Village, Chennai without insisting on security deposit for proposed development as contained in the communication dated 16.07.2002 in Lr.B2/15097/02 of the Second Respondent.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

For Petitioner : Mr. Satish Parasaran
For Respondents : Mr. K. Elango
Spl. Govt., Pleader for R1
Mr.J.Ravindran for R2
Mr. M. Duraikannan for R3

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

Learned counsel for the petitioner seeks permission to withdraw the above writ petition. He also made an endorsement to that effect in the writ petition. Accordingly, permission is granted and the writ petition is dismissed as withdrawn. However, it is made clear that the petitioner is free to challenge the provisions contained in Rule 19(b)(III)-(B) of the Development Control Rules, if need arises, at the appropriate time. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

kh

To

1. The Secretary to Government,
Housing & Urban Development Department,
Chennai-600 009.
2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Chennai-600 008.
3.The Chennai Metropolitan Water
Supply and Sewerage Board rep.
By its Managing Director
No.1 Pumping Station Road
Chennai 600 002.

1 cc To Mr.J.Ravindran, Advocate, SR.829.
1 cc To Mr.Satish Parasaran, Advocate, SR.680.

Writ Petition No.33901/02

NA(CO)
RVL 02.02.2007

WEB COPY
https://hcservices.ecourts.gov.in/hcservices/